

IT IS THEREFORE ORDERED THAT the relief to which the Parties stipulated is granted; that Plaintiffs' claims and causes of action for Defendant's alleged breach of fiduciary duties, including under 29 U.S.C. § 1132(a)(3), are dismissed with prejudice, (Dkt. 1, Compl. ¶¶ 51–58); that Plaintiffs' claims and causes of action for Defendant's alleged failure to provide full and fair review under ERISA, including under 29 U.S.C. §§ 1132(a)(3) and 1133, are dismissed with prejudice, (Dkt. 1, Compl. ¶¶ 59–62); that Plaintiffs' claims and causes of action for Defendant's alleged violations of ERISA claims procedures, including under 29 U.S.C. § 1132(a)(3) and 29 C.F.R. § 2560.503-1, are dismissed with prejudice, (Dkt. 1, Compl. ¶¶ 63–67); that Plaintiffs' claims and

causes of action for Defendant's alleged violations of the Texas Insurance Code, including under Tex. Ins. Code. §§ 541.003, 541.054, and 542.058, are dismissed with prejudice, (Dkt. 1, Compl. ¶¶ 68–70); and that Plaintiffs' causes of action for Defendant's alleged promissory estoppel and negligent misrepresentation, as they relate to the 3 benefit claims identified in Exhibit A below, are dismissed with prejudice, (Dkt. 1, Compl. ¶¶ 74–83).

Signed this 2nd day of July, 2018.


JUDGE GEORGE C. HANKS, JR.
U.S. DISTRICT COURT JUDGE

EXHIBIT A
PROMISSORY ESTOPPEL AND NEGLIGENT MISREPRESENTATION
CLAIMS DISMISSED PURSUANT TO THIS ORDER

Victory Account No.	Date of Service
100216	9/23/2013
203683	8/1/2013
BT0004006163	5/15/2014